

109TH CONGRESS  
1ST SESSION

# H. R. 1672

To provide protection and victim services to children abducted by family members.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 14, 2005

Ms. WOOLSEY introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To provide protection and victim services to children abducted by family members.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Rights for Abducted  
5       Children Act of 2005”.

6       **SEC. 2. FINDINGS.**

7       The Congress makes the following findings:

8               (1) Each year more than 203,000 children in  
9       the United States (approximately 78 percent of all

1 abducted children) are abducted by a family mem-  
2 ber, usually a parent.

3 (2) Child psychologists now classify family ab-  
4 duction as a form of child abuse and it is a crime  
5 in all 50 States and the District of Columbia.

6 (3) Family abduction is currently defined solely  
7 as custodial interference, suggesting that the only  
8 victim of this crime is the left-behind parent.

9 (4) Children who are abducted by family mem-  
10 bers suffer emotional, psychological, and, often,  
11 physical abuse at the hands of their abductors.

12 (5) More than half of the parents who abduct  
13 their children have a history of alcohol or substance  
14 abuse, a criminal record, or a history of violence.

15 (6) The most common motive for family abduc-  
16 tion is revenge against the other parent, not pro-  
17 tecting the child's safety.

18 (7) Too often, insufficient attention is paid to  
19 the needs and welfare of the child victim, aggra-  
20 vating the trauma that the child has already experi-  
21 enced.

22 **SEC. 3. CHILD VICTIMS' RIGHTS AND SERVICES.**

23 (a) VICTIM COMPENSATION AND ASSISTANCE.—The  
24 Victims of Crime Act of 1984 (42 U.S.C. 10601 et seq.)  
25 is amended—

1 (1) in section 1403(d) (42 U.S.C. 10602(d))—

2 (A) in paragraph (3) by striking “and” at  
3 the end;

4 (B) in paragraph (4) by striking the period  
5 and inserting a semicolon; and

6 (C) by adding at the end the following new  
7 paragraphs:

8 “(5) the term ‘victim’ includes a child victim of  
9 a family abduction; and

10 “(6) the term ‘family abduction’ means the tak-  
11 ing, keeping, or concealing of a child or children by  
12 a parent, other family member, or person acting on  
13 behalf of the parent or family member, that prevents  
14 another individual from exercising lawful custody or  
15 visitation rights.”; and

16 (2) in section 1404(d) (42 U.S.C. 10603(d))—

17 (A) in paragraph (4) by striking “and” at  
18 the end;

19 (B) in paragraph (5) by striking the period  
20 and inserting a semicolon; and

21 (C) by adding at the end the following new  
22 paragraphs:

23 “(6) the term ‘victim’ includes a child victim of  
24 a family abduction; and

1 “(7) the term ‘family abduction’ means the tak-  
2 ing, keeping, or concealing of a child or children by  
3 a parent, other family member, or person acting on  
4 behalf of the parent or family member, that prevents  
5 another individual from exercising lawful custody or  
6 visitation rights.”.

7 (b) CHILD VICTIMS’ AND CHILD WITNESSES’  
8 RIGHTS.—Section 3509(a) of title 18, United States Code,  
9 is amended—

10 (1) in paragraph (2)(A), by inserting “family  
11 abduction,” after “sexual abuse,”;

12 (2) in paragraph (3), by striking “child;” and  
13 inserting “child, and includes family abduction;”

14 (3) in paragraph (11), by striking “and” at the  
15 end;

16 (4) in paragraph (12), by striking the period at  
17 the end and inserting “; and”; and

18 (5) by adding at the end the following new  
19 paragraph:

20 “(13) the term ‘family abduction’ means the  
21 taking, keeping, or concealing of a child or children  
22 by a parent, other family member, or person acting  
23 on behalf of the parent or family member, that pre-

- 1 vents another individual from exercising lawful cus-
- 2 tody or visitation rights.”.

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